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Docket No.: 0080-0241PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Satoru SHIRAISHI

Application No.: 10/568,100

Confirmation No.: 8151

Filed: February 13, 2006

Art Unit: 3764

For: LOWER LEG MASSAGER

Examiner: Not Yet Assigned

LETTER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Information Disclosure Statement filed on February 13, 2006, attached hereto is an English translation of the Written Opinion of the International Searching Authority, of which the two (2) Japanese references were cited. The attached translation is being filed for the Examiner's convenience, and fulfils the requirement for a concise explanation of the relevance of this non-English language document set forth in MPEP 609.04(a)(III).

It is respectfully requested that the Examiner initial the PTO/SB/08 form submitted with the Information Disclosure Statement on February 13, 2006 and return the same to the undersigned, to confirm his consideration of all documents cited therein.


No fee is required.

If the Examiner has any questions concerning this communication, he/she is requested to contact the undersigned. If it is determined that this Letter has been filed under the wrong rule, the PTO is requested to consider the IDS Filed on February 13, 2006 under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: July 31, 2006

Respectfully submitted,

By 
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Attachment(s):

- ☐ PTO-SB08
- ☐ Documents
- ☐ Foreign Search Report
- ☐ Fee
- ☒ Other: English translation of Written Opinion of the International Searching Authority

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

YASUDA, Toshio
YASUDA & OKAMOTO, 7 & 6th Floor, Shori Building, 7-19,
Takaide-hondori 7-chome, Higashi-Osaka-shi, Osaka
5770066
JAPON

Date of mailing (day/month/year)
18 May 2006 (18.05.2006)

Applicant's or agent's file reference
P-1013

International application No.
PCT/JP2004/006014

Applicant

DAITO ELECTRIC MACHINE INDUSTRY COMPANY LIMITED et al

IMPORTANT NOTIFICATION

International filing date (day/month/year)
26 April 2004 (26.04.2004)

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
P-1013

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/JP2004/006014

International filing date (day/month/year)
26.04.2004

Priority date (day/month/year)
29.08.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

DAITO ELECTRIC MACHINE INDUSTRY COMPANY LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/006014

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/006014

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-13</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-13</u>	NO
Industrial applicability (IA)	Claims	<u>1-13</u>	YES
	Claims	_____	NO
2. Citations and explanations:			
<p>Document 1: JP, 2002-65786, A (Matsushita Electric Works, Ltd.), 5 March, 2002 (05.03.02)</p> <p>Document 2: JP, 2003-665, A (Daito Electric Machine Industry Co., Ltd.), 7 January, 2003 (07.01.03)</p> <p>Claims 1-13</p> <p>Document 1 describes a leg massaging apparatus comprising (1) a leg rest internally provided with a first massaging mechanism for massaging the calves of left and right legs, (2) a foot rest disposed beyond the leg rest and internally provided with a second massaging mechanism for massaging the feet of the left and right legs, and (3) a drive mechanism for simultaneously or individually driving the said first and second massaging mechanisms. Document 2 describes a technique of a leg massaging apparatus having a massaging mechanism comprising (1) a pair of massaging members apart from each other in the left and right direction for holding calves or feet, (2) rotating bodies fixed on a rotating shaft and engaged with the massaging members in such a manner that the massaging members can be rotated relative to each other, and (3) regulating means for regulating the co-rotation of the massaging members with the rotating bodies. A person skilled in the art could have easily applied the technique of document 2 to the leg massaging apparatus of document 1.</p>			